JC961 U.S. PTO
12/27/01

01-02-02

A

27123
PATENT TRADEMARK OFFICE

Docket No. 4347-4000

Express Mail No. EL 853 252 379US

↑AFFIX CUSTOMER NO. LABEL ABOVE ↑

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

jc825 U.S. PTO
10/033197
12/27/01

# UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))

Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

(1) Rohini Ramesh JOSHI
National Chemical Laboratory
Pune 411 008
Maharashtra, INDIA

(2) Asmita Ashutosh PRABHUNE
National Chemical Laboratory
Pune 411 008
Maharashtra, INDIA

☒ Additional inventors are listed on a separate sheet

For: PROCESS FOR THE PREPARATION OF OPTICALLY ACTIVE AZABICYCLO HEPTANONE DERIVATIVES

Enclosed Are:

7 page(s) of specification
1 page(s) of Abstract
2 page(s) of claims
_____ sheets of ☐ Formal ☐ Informal drawings
_____ page(s) of Declaration and Power of Attorney

- ☐ Unsigned
- ☐ Newly Executed
- ☐ Copy from prior application
- ☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☐ Incorporation by Reference:

☐ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b)

Signed statement attached deleting inventor(s) named in the prior application serial no. ____, filed _____.

☐ Microfiche Computer Program (Appendix)

☐ page(s) of Sequence Listing

☐ computer readable disk containing Sequence Listing

☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

☐ Assignment Papers (assignment cover sheet and assignment documents)

☐ A check in the amount of $40.00 for recording the Assignment

☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. _____.

☐ Assignment Papers filed in the parent application Serial No. _____.

☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

☐ Priority is claimed under 35 U.S.C. §119 for:
Application No(s). _____ , filed _____, in _____ (country).

☐ Certified Copy of Priority Document(s) [_____]

☐ filed herewith

☐ filed in application Serial No. _____, filed _____.

☐ English translation document(s) [_____]

☐ filed herewith

☐ filed in application Serial No. _____, filed _____.

☐ Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. _____, filed _____.

☐ Information Disclosure Statement

- ☐ Copy of [_____] cited references
- ☐ PTO Form-1449
- ☐ References cited in parent application Serial No. _____, filed _____.

☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)

- ☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.

☐ Preliminary Amendment

☒ Return receipt postcard (MPEP 503)

☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. _____, filed _____, to which priority under 35 U.S.C. §120 is claimed.

- ☐ Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).

☐ The status of the parent application is as follows:

- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.

☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.

☐ Transfer the drawing(s) from the parent application to this application

☐ Amend the specification by inserting before the first line the sentence:
This is ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. _____, filed _____.

| I. CALCULATION OF APPLICATION FEE | | | | |
|---|---|---|---|---|
| | Number Filed | Number Extra | Rate | Basic Fee $740.00/370.00 |
| Total Claims | 15- 20 = | 0x | $18.00/ $9.00 | $ |
| Independent Claims | 1- 3 = | 0x | $84.00/ $42.00 | $ |
| ☐ Multiple Dependent Claims | | If marked, add fee of $280.00 ($140.00) | | $ |
| | | | TOTAL: | $ 740.00 |

☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith
$_____.

☒ A check in the amount of $740.00 in payment of the application filing fees is attached.

☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4347-4000. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 27, 2001

By: _____
Keith J. McWha
Registration No. 44,235

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

Docket No. 4347-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Rohini Ramesh Joshi et al.

Serial No.: TBA

Group Art Unit: TBA

Examiner: TBA

Filed: Herewith (December 27, 2001)

For: PROCESS FOR THE PREPARATION OF OPTICALLY ACTIVE AZABICYCLO HEPTANONE DERIVATIVES

EXPRESS MAIL CERTIFICATE

Express Mail Label No.: **EL 853 252 379US**

Date of Deposit: **December 27, 2001**

I hereby certify that the following attached paper(s) and/or fee

1. Patent Application: Specification (7 pages), Abstract (1 page), Claims – (2 pages)
2. Patent Bibliography Data (3 pages);
3. Utility Application and Application Fee Transmittal;
4. Check of $740.00 for filing fee; and
5. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Susan Shen
(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile